REMARKS

The present invention relates to a built-in lamp which is mounted to an installation surface 1, such as a ceiling. There are two different embodiments of this built-in lamp. The first is illustrated in FIGS. 1-3, whereas the second embodiment is illustrated in FIGS. 4-6.

In the first embodiment of the invention, namely FIGS. 1-3 and claim 41, an additional light discharge region 5, 12, 13 extends around an outer perimeter of the reflector 8 such that the additional light discharge region 5, 12, 13 surrounds the reflector 8. In doing so, the reflection element 6 is illuminated by a portion of the light which, after reflection from the reflector 11, impinges upon the reflection element 6. After the light impinges upon the reflection element 6, it is reflected directly back onto the reflection surface thereby illuminating the surface surrounding the reflection element 6.

The second embodiment of the invention, namely FIGS. 4-6, also includes a reflection element 15 which is spaced outwardly from the installation surface 1. The second embodiment of the invention, however, differs from the first embodiment in that the reflector 8 is either transparent or translucent in the region of the reflector 8 extending between the installation surface 1 and the reflection element 15. Consequently, light from the light source passes directly through this region of the reflector 8 and impinges upon the reflection element 15. After impingement upon the reflection element 15, the reflected light is reflected directly onto the installation surface surrounding the reflector 8 thereby illuminating the installation surface 1.

Claim 21 directed to the second embodiment of the invention has been amended to clarify that, after impingement of the light on the reflection element 15, the reflected light directly impinges upon the installation surface thereby illuminating that surface. Similarly, claim 41, directed to the first embodiment (FIGS. 1-3) of the invention, has also been amended to clarify

that the light impinging upon the reflection element 6 is reflected directly against the installation surface and without passing through any further elements of the built-in lamp.

The Patent Examiner, however, has rejected previously submitted claim 21 as unpatentably obvious over the German reference to Kempter when combined with U.S. Patent No. 5,931,567 to Salzmann. However, in view of the amendments made to claims 21 and 41, the only independent claims in this application, Applicant respectfully submits that this basis for rejection can no longer stand.

The Kempter lamp admittedly teaches a lamp which is built into an installation surface (unnumbered) so that an outer portion 8 of the lamp is spaced outwardly from that installation surface. As perhaps best shown in FIG. 12, the Kempter built-in lamp includes a reflector 3 which includes a translucent portion shown in phantom line in FIGS. 12 and 13. This translucent portion, furthermore, is actually recessed behind the unnumbered installation surface.

As best shown in FIG. 12 of Kempter, light from the light source 1 passes through the translucent portion of the reflector 2 and impinges upon the reflector 8. After reflection from the reflector 8, the light does not pass directly to the installation surface. Instead, the reflected light from the reflector 8 instead passes through and presumably is attenuated by the reflector 5 prior to the impingement of the attenuated light against the installation surface. Consequently, the Kempter reference clearly differs in two important respects from Applicant's invention as it is now clearly defined in both claims 21 and 41.

Specifically, with respect to claim 21, claim 21 clearly defines that the reflection element reflects light directly against the installation surface in order to illuminate that surface. As discussed above, the reflection from the reflector 8 of Kempter does not reflect light directly

against the installation surface, but rather through the rear reflector 5 and then onto the installation surface.

Secondly, claim 21 also requires that the reflector 8 is made translucent or transparent in the region extending between the installation surface and the reflection element 15. In sharp contrast to this, in Kempter the translucent portion of the reflector 3 is contained within or behind the installation surface, not between the installation surface and the reflection element 15. By doing this, Applicant achieves a brighter area of illumination of the installation surface around the built-in lamp.

Similarly, claim 41 also requires that the reflection from the reflection element be directly against the installation surface whereas, as previously discussed, the reflection from the front reflector 8 of Kempter does not impinge directly upon the installation surface, but must instead pass through the rear reflector 5. This, furthermore, has been further clarified in claim 41 by positively reciting that the reflection from the reflection element to the installation surface occurs without passing through any further elements of the built-in lamp. That simply is not the case in Kempter where the reflected light passes through the rear reflector 5 and is attenuated by the rear reflector 5.

As understood from the October 14 Office Action, the Patent Examiner relies upon the secondary reference to Salzmann merely for its teaching of a holder 21 for fastening. Since Salzmann does not discuss the reflection by the reflection element back onto the installation surface, further discussion of the Salzmann reference is unnecessary.

In view of the foregoing, Applicant respectfully submits that claims 21 and 41, as well as their dependent claims, patentably define Applicant's invention over the prior art of record and are, therefore, allowable. Such action is earnestly solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-1180.

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Respectfully submitted,

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